
EVALUATOR MANUAL TRANSMITTAL SHEET

Distribution:

☐ All Child Care Evaluator Manual Holders
☒ All Residential Care Evaluator Manual Holders
☐ All Evaluator Manual Holders

Transmittal No.
03APX-07

Date Issued

March 2003

Subject:

2002 Chaptered Legislation
Appendix A – Community Care Facilities (Children's Residential)

Reason For Change:

This transmits summaries of legislation chaptered in 2002 affecting Community Care Facilities (Children Residential). The summaries are divided into two sections as follows:

1. Immediate Action Required – Interim instructions are provided.
2. Information Only – No action is required by CCLD.

An index is attached to assist staff in locating specific bills. Statutes referenced in this document become operative on January 1, 2003, unless otherwise specified.

Filing Instructions:

☐ REMOVE –

☒ INSERT – The attached pages into Appendix A. Do not remove similar documents from previous years.

Approved:

Original Signed by C. Jacobi _____
CAROLE JACOBI, Chief
Policy Development Bureau

March 25, 2003
Date

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SUMMARY AND IMPLEMENTATION PLANS 2002 CHAPTERED LEGISLATION

COMMUNITY CARE FACILITIES CHILDREN'S RESIDENTIAL

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INFORMATION ONLY – NO ACTION REQUIRED

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<p>Unless otherwise noted, all new legislation becomes effective on January 1, 2003.</p> <p>When conducting visits, LPAs should ensure that providers are aware of any new requirements.</p>
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ACTION REQUIRED

AB 1694 (COMMITTEE ON HUMAN SERVICES), CHAPTER 918, STATUTES OF 2002

Affects: Foster Family Homes

Subject: In-Home Interview

Summary: This legislation amends Section 1521.5 of the Health and Safety Code. This amendment deletes the requirement that the in-home interview shall be conducted by the placement agency in those counties that have not contracted with the state to license foster family homes. Deletion of this requirement from Section 1521.5 allows state licensing staff to conduct the in-home interview. Pending revision to Section 89227 "Application Review" refer to current statutes, Health and Safety Code Section 1521.5.

Implementation:

The In-Home Interview is an "in person discussion" conducted by the licensing agency for the purpose of collecting information on a caregiver's qualification that may be used by the placement agency to evaluate the ability, willingness, and readiness of the prospective foster parent to meet the varying needs of children. Health and Safety Code 1521.5 requires an in-home interview to be conducted prior to the issuance of a license.

Previously, in those counties not under contract with the state to license foster family homes, it was the responsibility of the placement agency to conduct the In-Home Interview and forward the information to the licensing office. The In-Home Interview will now be incorporated in the LPA's pre-licensing visit. This process applies only to State CCLD Children's Residential Program Offices which license foster family homes. This change will have no effect on the current process utilized by the Contract County Foster Family Home (FFH) Licensing Offices. Those counties continue to have the option of allowing placement or licensing staff to conduct the required In-Home Interview.

Current law requires the In-Home Interview to be a part of the licensing record. A new form LIC 861 titled "In-Home Interview" has been developed to assist LPA's in obtaining information about the caregiver's qualifications. The completed In-Home Interview form will become part of the public file for the Foster Family Home application. No license can be issued unless the In-Home interview is completed.

County Placement will continue to do a "Comprehensive Home Study" for each caregiver prior to the placement of a child in a licensed foster home; State Licensing staff will no longer need to wait for the County's Comprehensive Home Study before issuing the foster family home license. LPA's will only need to have the completed In-Home Interview in each case file prior to licensure, and share a copy with county placement.

LPA's Role and Responsibility

- Schedule the In-Home Interview and the Pre-Licensing Visit to take place at the same time with the foster care applicant(s). Request at least one applicant to be present during the In-Home Interview.
- Take a copy of the In-Home Interview form to the home.
- During the visit discuss the routine Health & Safety issues, review the physical plant, the child's personal rights and ask the applicant basic questions to assess the applicants ability, willingness and readiness to become a licensed FFH caregiver.
- Complete and sign the In-Home Interview form.
- Document the In-Home Interview and Pre-Licensing visit on the LIC 809.
- Place a copy of the completed In-Home Interview form in the public section of the Foster Family Home file folder.
- Provide a copy of the In-Home Interview form to the support staff to forward to County Placement.

Program Office Responsibility

- Designate support staff in each FFH licensing program office to centralize this process and send the copies of the completed In-Home Interviews to County Placement on a flow basis at least once a week.

The In-Home Interview form LIC 861 is available on the Internet at www.cclld.ca.gov.

INFORMATION ONLY – NO ACTION REQUIRED

AB 2659 (RUNNER), CHAPTER 623, STATUTES OF 2002

Affects: Child Care Facilities; also affects Community Care Facilities, Residential Care Facilities for the Chronically Ill and Residential Care Facilities for the Elderly.

Subject: Certification of Fingerprint Rollers

Summary: This legislation adds Section 11102.1 to the Penal Code. This section requires the Department of Justice (DOJ) to establish, implement and maintain a certification program for individuals who roll applicant fingerprint impressions for licensure, certification or employment purposes. This section authorizes DOJ to charge a fee sufficient to cover costs of the certification program and requires persons who roll fingerprint impressions to submit fingerprints to the DOJ for a criminal background clearance.

This section also requires DOJ to work with applicant regulatory entities to improve and make more efficient the criminal offender record information request process.

AB 3047 (COMMITTEE ON HUMAN SERVICES), CHAPTER 340, STATUTES OF 2002

Affects: Group Homes, Small Family Homes, Foster Family Homes and Small Family Homes

Subject: Car Seat Law

Summary: AB 3047 aligns Section 1596.95 of the Health and Safety Code with Vehicle Code Sections 27360 and 27360.5 regarding the weight and age requirements for child passenger restraint systems.

Existing law requires that any person who desires issuance of a license at a child care center shall submit an application that includes certain information, including evidence that the applicant has posted signs at the point of entry to the facility that includes a statement that children under the age of 4 years or weighing less than 40 pounds must be in an approved child passenger restraint system. In 2001, Vehicle Code Sections 27360 and 27360.5 changed the age and weight requirements to under the age of 6 years or weighing less than 60 pounds.

The amended changes to Health and Safety Code 1596.95 now reference Vehicle Code Sections 27360 and 27360.5 instead of specific age and weight requirements. This will eliminate the need to amend the Health and Safety Code when the Vehicle Code requirements for child passenger restraint systems are changed.

INFORMATION ONLY – NO ACTION REQUIRED

SB 900 (ORTIZ), Chapter 627, Statutes of 2002

Affects: Child Facilities; also affects Community Care Facilities,
Residential Care Facilities for the Chronically Ill and
Residential Care Facilities for the Elderly

Subject: Department of Justice Criminal History Dissemination Criteria

Summary: This legislation amends the Penal Code to consolidate, from nine categories to six, the dissemination criteria that the Department of Justice uses to provide criminal history summary information to requesting departments.